



PATENT  
30203/37573

#3

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

Applicants:

Rogers, *et al.*

Serial No.: 10/024,891

Filed: December 18, 2001

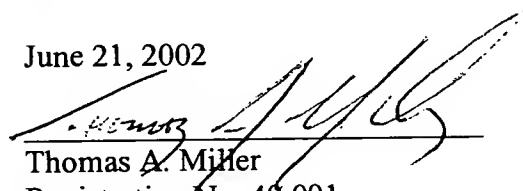
For: Method for Comparing and Selecting  
Process Control Apparatus

Group Art Unit: 2181

Examiner: Not yet assigned.

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) being deposited with the United  
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) Washington, D.C. 20231 on this  
) date:

June 21, 2002

  
Thomas A. Miller  
Registration No. 40,091  
Attorney for Applicant

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

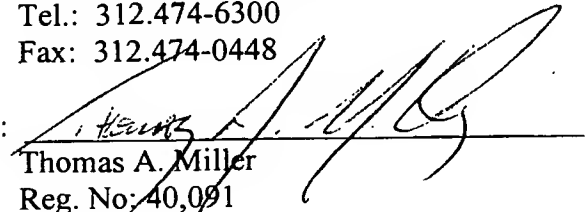
Box MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts received from the U. S. Patent and Trademark Office on January 22, 2002, the applicant hereby submits an inventor declaration as well as the \$130.00 fee for late filing of an inventor declaration. A copy of the Notice is enclosed with this response. Should the Examiner have any questions, he/she is respectfully invited to telephone the undersigned.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6357  
Tel.: 312.474-6300  
Fax: 312.474-0448

By:   
Thomas A. Miller  
Reg. No. 40,091

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ORIGINALLY FILED

June 21, 2002

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PTO/SB/21 (08-00)

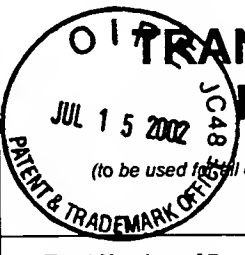
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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

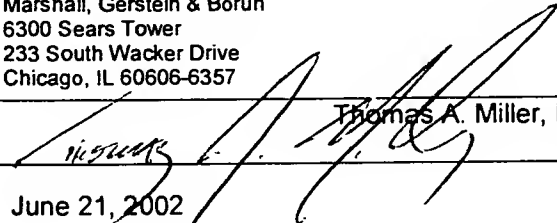
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 <b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/024,891	
	Filing Date	December 18, 2001	
	First Named Inventor	Rogers, et al.	
	Group Art Unit	2181	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	7	Attorney Docket Number	30203/37573

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Dec/POA
<div>Remarks</div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	Marshall, Gerstein & Borun 6300 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6357
Signature	 Thomas A. Miller, Reg. No. 40,091
Date	June 21, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: June 21, 2002

Signature: 

(Name of Signer) Thomas A. Miller

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PTO/SB/17 (11-01)

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**FEE TRANSMITTAL  
for FY 2002**

*Patent fees are subject to annual revision.*

☐ Significant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 920.00

Complete if Known	
Application Number	10/024,891
Filing Date	December 18, 2001
First Named Inventor	Rogers, et al.
Examiner Name	Unassigned
Group Art Unit	2181
Attorney Docket No.	30203/37573

**METHOD OF PAYMENT (check all that apply)**

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 13-2855

Deposit Account Name: Marshall, Gerstein & Borun

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		101	740	Utility filing fee	
		106	330	Design filing fee	
		107	510	Plant filing fee	
		108	740	Reissue filing fee	
		114	160	Provisional filing fee	
<b>SUBTOTAL (1)</b>				<b>(\$)</b>	0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims: 11 -20 = 0 x = 0.00

Independent Claims: 1 -3 = 0 x = 0.00

Multiple Dependent: = 0.00

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		103	18	Claims in excess of 20	
		102	84	Independent claims in excess of 3	
		104	280	Multiple dependent claim, if not paid	
		109	84	** Reissue independent claims over original patent	
		110	18	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>				<b>(\$)</b>	0.00

*\*\*or number previously paid, if greater; For Reissues, see above*

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	920.00
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
<b>SUBTOTAL (3)</b>				<b>(\$)</b>	1,050.00

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Name (Print/Type): Thomas A. Miller

Registration No. (Attorney/Agent): 40,091

Telephone: 312.474-6300

Signature: *Thomas A. Miller*

Date: June 21, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: June 21, 2002

Signature: *Thomas A. Miller* (Name of Signer) Thomas A. Miller



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

JUL 15 2002

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

APPLICATION NUMBER

10/024,891

12/18/2001

Steven B. Rogers

30203/37573

04743  
 MARSHALL, O'TOOLE, GERSTEIN, MURRAY & BORUN  
 6300 SEARS TOWER  
 233 SOUTH WACKER DRIVE  
 CHICAGO, IL 60606-6402

CONFIRMATION NO. 5169

FORMALITIES LETTER

\*OC00000007339192\*

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Date Mailed: 01/22/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Docketed: 3/22/02

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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01 FC:105

130.00 DP